

definition of “private corporations established under Federal law”. Section 1103 of this title requires a report to Congress on the annual audit of private corporations established under Federal law.

#### **§ 5612. Reservation of right to alter, amend, or repeal chapter**

The right to alter, amend, or repeal this chapter is expressly reserved to Congress.

(Pub. L. 104-201, div. A, title XVIII, §1813, Sept. 23, 1996, 110 Stat. 2762.)

#### **§ 5613. Tax-exempt status required as condition of charter**

If the association fails to maintain its status as an organization exempt from taxation as provided in title 26 the charter granted in this chapter shall terminate.

(Pub. L. 104-201, div. A, title XVIII, §1814, Sept. 23, 1996, 110 Stat. 2762.)

#### **§ 5614. Termination**

The charter granted in this chapter shall expire if the association fails to comply with any of the provisions of this chapter.

(Pub. L. 104-201, div. A, title XVIII, §1815, Sept. 23, 1996, 110 Stat. 2762.)

#### **§ 5615. “State” defined**

For purposes of this chapter, the term “State” includes the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, and the territories and possessions of the United States.

(Pub. L. 104-201, div. A, title XVIII, §1816, Sept. 23, 1996, 110 Stat. 2762.)

### **CHAPTER 89—NATIONAL FILM PRESERVATION FOUNDATION**

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#### **§ 5701. Establishment and purpose of Foundation**

##### **(a) Establishment**

There is established the National Film Preservation Foundation (hereafter in this chapter re-

ferred to as the “Foundation”). The Foundation is a charitable and nonprofit corporation and is not an agency or establishment of the United States.

##### **(b) Purposes**

The purposes of the Foundation are—

(1) to encourage, accept, and administer private gifts to promote and ensure the preservation and public accessibility of the nation’s film heritage held at the Library of Congress and other public and nonprofit archives throughout the United States;

(2) to further the goals of the Library of Congress and the National Film Preservation Board in connection with their activities under the National Film Preservation Act of 1996 [2 U.S.C. 179f et seq.]; and

(3) to undertake and conduct other activities, alone or in cooperation with other film related institutions and organizations, as will further the preservation and public accessibility of films made in the United States, particularly those not protected by private interests, for the benefit of present and future generations of Americans.

(Pub. L. 104-285, title II, §202, Oct. 11, 1996, 110 Stat. 3382.)

#### **REFERENCES IN TEXT**

The National Film Preservation Act of 1996, referred to in subsec. (b)(2), is title I of Pub. L. 104-285, Oct. 11, 1996, 110 Stat. 3377, which is classified principally to section 179f et seq. of Title 2, The Congress. For complete classification of this Act to the Code, see Short Title note set out under section 179f of Title 2 and Tables.

#### **SHORT TITLE**

Section 201 of title II of Pub. L. 104-285 provided that: “This title [enacting this chapter] may be cited as the ‘National Film Preservation Foundation Act’.”

#### **SECTION REFERRED TO IN OTHER SECTIONS**

This section is referred to in sections 5703, 5706 of this title.

#### **§ 5702. Board of Directors of Foundation**

##### **(a) Establishment and membership**

The Foundation shall have a governing Board of Directors (hereafter in this chapter referred to as the “Board”), which shall consist of 9 Directors, each of whom shall be a United States citizen and at least 6 of whom must be knowledgeable or experienced in film production, distribution, preservation, or restoration, including 2 who shall be sitting members of the National Film Preservation Board. These 6 members of the Board shall, to the extent practicable, represent diverse points of views from the film community, including motion picture producers, creative artists, nonprofit and public archivists, historians, film critics, theater owners, and laboratory and university personnel. The Librarian of Congress (hereafter in this chapter referred to as the “Librarian”) shall be an ex officio nonvoting member of the Board. Appointment to the Board shall not constitute employment by, or the holding of an office of, the United States for the purpose of any Federal law.